

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Serial No.: 09/434,394 Confirmation No.: 3898
Applicant: John S. Yates, Jr., et al.
Title: DETECTING REORDERED SIDE-EFFECTS
Filed: November 4, 1999
Art Unit: 2192
Examiner: H.V. Nguyen Ba

Atty. Docket: 114596-20-4009
Customer No. 38492

INFORMATION DISCLOSURE STATEMENT

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

In accordance with 37 C.F.R. §§1.56, 1.97 and 1.98, Applicant wishes to make of record the items listed on the accompanying Form PTO-1449. Applicant respectfully requests the Examiner to fully consider the items and independently ascertain their teaching before issuance of the next action, and to make them of record in the file. The Examiner is also requested to initial and return a copy of the enclosed Form PTO-1449 to evidence such consideration.

1. Applicant has listed publication dates on the attached Form PTO-1449 based on information presently available to the undersigned. However, the listed publication dates should not be construed as an admission that the information was actually published on the date indicated. Applicant reserves the right to establish the patentability of the claims over any information provided herewith, and/or to prove that this information may not be prior art, and/or to prove that this information may not be enabling for the teachings purportedly offered.

2. The references listed on the enclosed Form 1449 are references that have come to light in applications listed in the Information Disclosure Statement of January 2001. For many of the listed references, pertinence is mentioned in the respective application file in which the reference came to light.

I certify that this correspondence, along with any documents referred to therein, is being deposited with the United States Postal Service on September 20, 2005 as First Class Mail in an envelope with sufficient postage addressed to Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Applicant has not reviewed all of them in detail. Of those that have been reviewed, none of the references are believed to be any more pertinent than the references provided in earlier IDS' and Forms 1449. However, in an abundance of caution, Applicant requests that they be considered.

3. This Information Disclosure Statement is being filed more than three months after filing of this application and after the mailing of a first Office Action on the merits, but before the mailing date of a final action under 37 C.F.R. § 1.113, or a Notice of Allowance under 37 C.F.R. § 1.311 (where there has been no prior final action), or an action that otherwise closes prosecution in the application. A fee is due pursuant to 37 C.F.R. §1.97(c)(2).

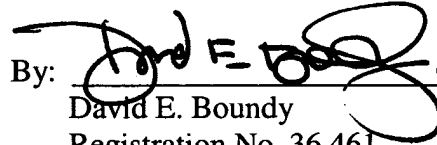
4. Charge the fee due under C.F.R. §1.17(p) to Deposit Account 23-2405, Order No. 114596-20-4009.

5. The Commissioner is hereby authorized to charge any additional fees that may be required for this Information Disclosure Statement, or credit any overpayment, to Deposit Account No. 23-2405, Order No. 114596-20-4009.

Respectfully submitted,

WILLKIE FARR & GALLAGHER LLP

Dated: September 20, 2005

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